

Substitute for Form PTO-1390		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 033495-017	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/514 430	
INTERNATIONAL APPLICATION NO. PCT/EP03/004715		INTERNATIONAL FILING DATE May 6, 2003		PRIORITY DATE CLAIMED May 16, 2002	
TITLE OF INVENTION PESTICIDAL PYRIDINECARBOXAMIDE DERIVATIVES					
APPLICANT(S) FOR DO/EO/US Koichi ARAKI, Tetsuya MURATA, Koshi GUNJIMA, Norihiko NAKAKURA, Eiichi SHIMOJO, Dale Robert MITCHELL, Henricus Maria Martinus BASTIAANS, David Stephen CARVER, Daniel ALLEN, Christian ARNOLD, Waltraud HEMPEL, Olga MALSAM and Jutta Maria WAIBEL					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission to items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (22) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
Items 11 to 21 below concern document(s) or information included:					
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 C.F.R. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <u>Copies of 5 references listed on 1449, ISR (attached to copy of WO 03/097605 A1), PCT Request, IPER, PCT/IB/306, PCT/IB/308 and Application Data Sheet enclosed. Executed inventors' declaration to follow. Certified copy of priority document filed during international phase.</u> 21. <input checked="" type="checkbox"/> Applicant(s) requests that the published application include the following assignment information: <u>Bayer CropScience GmbH</u> <u>Brüningstrasse 50</u> <u>65926 Frankfurt</u> <u>GERMANY</u>					

U.S. APPLICATION NO. <u>10/514430</u> <small>(If known, see 37 CFR 1.51)</small>	INTERNATIONAL APPLICATION NO. PCT/EP03/004715	ATTORNEY'S DOCKET NUMBER 033495-017
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22. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,110.00 (1611)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$950.00 (1613)

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International search fee (37 CFR 1.445(a)(2)) paid to USPTO \$790.00 (1610)

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$750.00 (1609)

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 (1612)

ENTER APPROPRIATE BASIC FEE AMOUNT =	\$ 950.00	
Surcharge of \$130.00 (1617) for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30	\$ 130.00	

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	21	-20 =	1	x \$18.00 (1615)	\$ 18.00
Independent Claims	1	-3 =	0	x \$88.00 (1614)	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$300.00 (1616)	
TOTAL OF ABOVE CALCULATIONS =					\$ 1,098.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					\$ 0.00
SUBTOTAL =					\$ 1,098.00
Processing fee of \$130.00 (1618) for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30					\$ 0.00
TOTAL NATIONAL FEE =					\$ 1,098.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 (8021) per property +					
TOTAL FEES ENCLOSED =					\$ 1,098.00
					Amount to be refunded :
					charged :

a. ☒ A check in the amount of \$ 1,098.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4800 in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.


c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4800. A duplicate copy of this sheet is enclosed.

d. ☐ Charge _____ to credit card. Form PTO-2038 is attached.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Burns, Doane, Swecker & Mathis, L.L.P.
 P.O. Box 1404
 Alexandria, Virginia 22313-1404
 (703) 836-6620


 SIGNATURE

Mary Katherine Baumeister
 NAME

26,254 November 16, 2004
 REGISTRATION NO. DATE